

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EDWIN JAMES BITTNER

Plaintiff,

v.

OPTOS, INC.,

Defendant.

CIVIL ACTION NO. 04-12465MLW

JOINT STIPULATION OF DISMISSAL

The parties hereby stipulate to the dismissal with prejudice of Count II
(Conversion) of the Complaint without costs. All rights of appeal as to Count II of the
Complaint are hereby waived.


EDWIN JAMES BITTNER

By his attorneys,


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OPTOS, INC.,

By its attorneys,


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Dated: May 10, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail on this 12 day of May, 2005.

A handwritten signature in black ink, appearing to read 'APF', is written over a horizontal line.

Adam P. Forman

Dated: May 12, 2005